

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in Part A by inserting after section 4 the following:

‘**Sec. A-5. 20-A MRSA §5401, sub-§17** is enacted to read:

**17. Rules.** The department may adopt rules to implement the provisions of this section. A rule authorized or provisionally adopted by the department pursuant to this subsection or Title 29-A, section 2311 after January 1, 2008 that concerns the transportation of public preschool students is a major substantive rule and subject to legislative review in accordance with Title 5, chapter 375, subchapter 2-A. An amendment to a rule adopted pursuant to this subsection or Title 29-A, section 2311 prior to January 1, 2008 is considered a major substantive rule when the amendment concerns the transportation of public preschool students, and it is subject to legislative review in accordance with Title 5, chapter 375, subchapter 2-A.’

Amend the bill in Part A by inserting after section 15 the following:

‘**Sec. A-16. 29-A MRSA §2311**, as affected by PL 1993, c. 683, Pt. B, §5 and amended by PL 1995, c. 82, §1, is further amended to read:

### **§ 2311. Rules**

The Commissioner of Education may adopt or amend rules consistent with this Title and in accordance with the Maine Administrative Procedure Act, concerning school bus construction, equipment, operation and identification. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.’

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## **SUMMARY**

This amendment provides that any adoption or amendment of a rule by the Department of Education that concerns the transportation of public preschool students is a major substantive rule and subject to legislative review.

## **FISCAL NOTE REQUIRED**

**(See attached)**